

A CERTIFIED TRUE COPY

OCT 24 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NO. 1657

OCT 28 PM 2:40 OCT - 6 2005

LORETTA G. WHYTE
CLERK
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JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-26)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,668 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*Michael J. Beck
Clerk of the PanelInasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 24 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONCLERK'S OFFICE
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Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

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THOMAS M. COULD
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

(5)

SCHEDULE CTO-26 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

EDLA
Sec L/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ALABAMA MIDDLE		
ALM 2 05-880	Theatus Rawdon Beaty v. Merck & Co., Inc., et al. Opposed 10/20/05	
ALM 3 05-849	Ruth Baldwin, etc. v. Merck & Co., Inc., et al.	05-5322
ALABAMA SOUTHERN		
ALS 1 05-525	Hazel C. Howell v. Merck & Co., Inc., et al.	05-5323
CALIFORNIA CENTRAL		
CAC 2 05-6560	Ron Clausen, et al. v. Merck & Co., Inc.	05-5324
CALIFORNIA NORTHERN		
CAN 3 05-3656	Kenneth Madfes, et al. v. Merck & Co., Inc.	05-5325
FLORIDA SOUTHERN		
FLS 1 05-22503	Ronald Strauss, et al. v. Merck & Co., Inc.	05-5326
IDAHO		
ID 2 05-361	Betty Carolyn Struckmeyer, et al. v. Merck & Co., Inc.	05-5327
ILLINOIS CENTRAL		
ILC 2 05-2202	Charles Cramer, et al. v. Merck & Co., Inc.	05-5328
ILLINOIS NORTHERN		
ILN 1 05-5088	Freddie S. Gilmer, Sr. v. Merck & Co., Inc.	05-5329
ILN 1 05-5136	Wanda Hill, etc. v. Merck & Co., Inc.	05-5330
ILN 1 05-5198	Delores M. Gough, et al. v. Merck & Co., Inc.	05-5331
ILN 3 05-50178	Rosetta Bryant v. Merck & Co., Inc.	05-5332
ILLINOIS SOUTHERN		
ILS 4 05-4170	Gary Grizzell v. Merck & Co., Inc., et al. Opposed 10/20/05	
INDIANA NORTHERN		
INN 3 05-567	Barbara M. Lewallen, et al. v. Merck & Co., Inc.	05-5333
INN 3 05-568	Billy J. Milan, et al. v. Merck & Co., Inc.	05-5334
INN 3 05-573	Deborah Ann Snyder, et al. v. Merck & Co., Inc.	05-5335
KENTUCKY EASTERN		
KYE 2 05-170	Joan Ann Muth, et al. v. Merck & Co., Inc.	05-5336
KYE 2 05-172	Edward Berkshire, et al. v. Merck & Co., Inc.	05-5337
KYE 2 05-173	Linda K. Stuck, et al. v. Merck & Co., Inc.	05-5338
KYE 2 05-174	Carole L. Warner v. Merck & Co., Inc.	05-5339
KYE 5 05-378	Velma J. Miller, etc. v. Merck & Co., Inc.	05-5340
KENTUCKY WESTERN		
KYW 4 05-133	Roger D. Hayse, et al. v. Merck & Co., Inc.	05-5341
LOUISIANA MIDDLE		
LAM 3 05-1059	James B. Arnold, et al. v. Merck & Co., Inc.	05-5342

SCHEDULE CTO-26 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>Sec 4/3</u>
MINNESOTA		
MN 0 05-2116	Darlene J. Shaver v. Merck & Co., Inc.	05-5343
MN 0 05-2117	Carolyn L. Williams v. Merck & Co., Inc.	05-5344
MISSOURI EASTERN		
MOE 4 05-1353	Bertha Marie Mitchell v. Merck & Co., Inc.	05-5345
MOE 4 05-1354	Julie Thompson v. Merck & Co., Inc.	05-5346
MOE 4 05-1373	Thelma Reed, et al. v. Merck & Co., Inc.	05-5347
MOE 4 05-1378	Mollie Knox v. Merck & Co., Inc.	05-5348
MOE 4 05-1379	Janet Lemmon v. Merck & Co., Inc.	05-5349
MOE 4 05-1380	Sharion Mitchell v. Merck & Co., Inc.	05-5350
MOE 4 05-1463	Evelyn Light, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1465	Fulton Lacy, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1466	Roberta Sterling, et al. v. Merck & Co., Inc., et al. Opposed 10/24/05	
MOE 4 05-1482	John G. Gilmore v. Merck & Co., Inc., et al.	05-5351
MISSOURI WESTERN		
MOW 2 05-4274	Ruby Frances Smith, et al. v. Merck & Co., Inc.	05-5352
MOW 2 05-4283	Glenda Meysami, et al. v. Merck & Co., Inc.	05-5353
MOW 4 05-763	Betty White v. Merck & Co., Inc.	05-5354
MOW 4 05-787	Robert H. Cotter, etc. v. Merck & Co., Inc.	05-5355
MOW 4 05-823	Jackie Knott, et al. v. Merck & Co., Inc.	05-5356
MOW 4 05-824	Hugh Graff, et al. v. Merck & Co., Inc.	05-5357
MOW 4 05-825	Mary Withers, et al. v. Merck & Co., Inc.	05-5358
MOW 4 05-831	Mary Plubell v. Merck & Co., Inc. Vacated 10/21/05	
MOW 4 05-841	Donna Smith, et al. v. Merck & Co., Inc.	05-5359
MOW 4 05-842	Ronald Yahne, et al. v. Merck & Co., Inc.	05-5360
MOW 4 05-843	Beverly Paith v. Merck & Co., Inc.	05-5361
MOW 4 05-844	Gerald Holcomb, et al. v. Merck & Co., Inc.	05-5362
MOW 4 05-845	George Peters, et al. v. Merck & Co., Inc.	05-5363
MOW 5 05-6092	Louisa Occhipinto v. Merck & Co., Inc.	05-5364
MISSISSIPPI NORTHERN		
MSN 3 05-110	James R. Cook, Jr., et al. v. Merck & Co., Inc.	05-5365
MONTANA		
MT 9 05-146	Gary Hoekman v. Merck & Co., Inc., et al.	05-5366
NORTH CAROLINA EASTERN		
NCE 7 05-160	Eugene Ulysses Taylor, Jr. v. Merck & Co., Inc.	05-5367
NCE 7 05-161	Bobby Gene Brook v. Merck & Co., Inc.	05-5368
NEW HAMPSHIRE		
NH 1 05-317	Todd Rohr v. Merck & Co., Inc.	05-5369
NEW YORK EASTERN		
NYE 1 05-4091	Ruth Boyd, et al. v. Merck & Co., Inc.	05-5370
NYE 1 05-4284	David Goldner, et al. v. Shelter Rock Orthopedic Group, P.C., et al. Opposed 10/21/05	
NYE 1 05-4303	Jean Claude Nathan v. Merck & Co., Inc.	05-5371
NYE 1 05-4304	Anthony Galto v. Merck & Co., Inc.	05-5372
NEW YORK SOUTHERN		
NYS 1 05-7999	Millie Pitchford v. Merck & Co., Inc.	05-5373

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EDLA
Sec 4/3DIST. DIV. C.A. #CASE CAPTION

NEW YORK WESTERN

~~NYW 6 05-6475~~ Brian North v. Merck & Co., Inc., et al. Opposed 10/21/05

OHIO NORTHERN

OHN 1 05-2136 Charlotte Mahan v. Merck & Co., Inc.

05-5374

OHIO SOUTHERN

OHS 2 05-834 Karen Smith, etc. v. Merck & Co., Inc.

05-5375

OKLAHOMA NORTHERN

OKN 4 05-492 Redina Darlene Sewell v. Merck & Co., Inc.

05-5376

OKLAHOMA WESTERN

OKW 5 05-1056 Betty Bridges v. Merck & Co., Inc.

05-5377

OKW 5 05-1057 Joyce Zind v. Merck & Co., Inc.

05-5378

OKW 5 05-1059 Phyllis Miller v. Merck & Co., Inc.

05-5379

OKW 5 05-1079 George Seminoff, et al. v. Merck & Co., Inc.

05-5380

OKW 5 05-1080 Jackie Harper, etc. v. Merck & Co., Inc.

05-5381

PENNSYLVANIA EASTERN

PAE 2 05-3785 James Schneller, etc. v. Merck & Co., Inc.

05-5382

PAE 2 05-4577 Dr. Donald Dworken v. Merck & Co., Inc., et al.

05-5383

PAE 2 05-4578 Norman B. LaChance, et al. v. Merck & Co., Inc., et al.

05-5384

PAE 2 05-4713 Pauline M. Dixon v. Merck & Co., Inc.

05-5385

PAE 2 05-4740 Sharon Kravet, etc. v. Merck & Co., Inc., et al.

05-5386

PAE 2 05-4825 Kirkwood Dormeyer v. Merck & Co., Inc., et al.

05-5387

PAE 2 05-4840 Karen Olson, et al. v. Merck & Co., Inc., et al.

05-5388

PAE 2 05-4917 Althea L. Newman, et al. v. Merck & Co., et al.

05-5389

PAE 2 05-4924 Thomas N. Pafford, et al. v. Merck & Co., Inc., et al.

05-5390

SOUTH DAKOTA

SD 1 05-1038 Blanche Lewandowski v. Merck & Co., Inc.

05-5391

SD 1 05-1039 Chuck Davis, Sr. v. Merck & Co., Inc.

05-5392

TENNESSEE EASTERN

TNE 1 05-231 Kennenth Gregory v. Merck & Co., Inc.

05-5393

TNE 1 05-232 Frieda Thompson v. Merck & Co., Inc.

05-5394

TNE 1 05-233 Dorothy P. Price, et al. v. Merck & Co., Inc.

05-5395

TNE 1 05-252 James R. Clayton v. Merck & Co., Inc.

05-5396

TNE 1 05-253 James D. Williams v. Merck & Co., Inc.

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TNE 2 05-222 Charlotte R. Young v. Merck & Co., Inc.

05-5398

TNE 2 05-223 Michael B. Kelly, et al. v. Merck & Co., Inc.

05-5399

TNE 2 05-232 James F. Harper, et al. v. Merck & Co., Inc.

05-5400

TNE 3 05-430 Betty S. Hendrickson v. Merck & Co., Inc.

05-5401

TNE 4 05-63 James Myers v. Merck & Co., Inc.

05-5402

TNE 4 05-64 Thomas Marshall, et al. v. Merck & Co., Inc.

05-5403

TENNESSEE MIDDLE

TNM 1 05-62 Mariane Marks, etc. v. Merck & Co., Inc.

05-5404

TNM 3 05-663 Beverly Carole Maxwell, et al. v. Merck & Co., Inc.

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TNM 3 05-689 Robert Fontaine Booher, et al. v. Merck & Co., Inc.

05-5406

SCHEDULE CTO-26 TAG-ALONG ACTIONS (MDL-1657)

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TNW 1 05-1241	James H. Wilbanks, et al. v. Merck & Co., Inc., et al.	05-5408
TNW 1 05-1242	Linda Jones, etc. v. Merck & Co., Inc.	05-5409
TNW 1 05-1243	Carolyn Butler, etc. v. Merck & Co., Inc., et al.	05-5410
TNW 1 05-1251	Brenda J. Smith, etc. v. Merck & Co., Inc.	05-5411
TNW 1 05-1252	Sally T. Hatch, et al. v. Merck & Co., Inc., et al.	05-5412
TNW 1 05-1254	Mary L. Woods v. Merck & Co., Inc.	05-5413
TNW 1 05-1255	Matha Paslay v. Merck & Co., Inc.	05-5414
TNW 2 05-2618	Robert Henry Russell, et al. v. Merck & Co., Inc.	05-5415
TNW 2 05-2658	Ola Mae Parker v. Merck & Co., Inc.	05-5416
TNW 2 05-2659	George Jividen v. Merck & Co., Inc.	05-5417
TNW 2 05-2660	Virgie E. Spraggins v. Merck & Co., Inc.	05-5418

TEXAS EASTERN

TXE 1 05-611	Nadia Jovancicevic, et al. v. Merck & Co., Inc.	05-5419
TXE 1 05-640	Jaqueline M. Pugh v. Merck & Co., Inc.	05-5420
TXE 2 05-429	Marcia King, etc. v. Merck & Co., Inc.	05-5421

TEXAS NORTHERN

TXN 2 05-204	Dora Mae O'Hair Brown, et al. v. Merck & Co., Inc.	05-5422
TXN 3 05-1827	Margaret Morris v. Merck & Co., Inc.	05-5423
TXN 4 05-543	John Dahl v. Merck & Co., Inc.	05-5424

TEXAS SOUTHERN

TXS 2 05-445	Antonio Salazar, et al. v. Merck & Co., Inc., et al. Opposed 10/21/05	
TXS 2 05-450	Ignacio Valdez v. Merck & Co., Inc.	05-5425
TXS 2 05-466	Estella Torres v. Merck & Co., Inc.	05-5426
TXS 2 05-467	Norma L. Balderas v. Merck & Co., Inc.	05-5427
TXS 2 05-468	Mary Alice Terrell v. Merck & Co., Inc.	05-5428

TEXAS WESTERN

TXW 1 05-688	Mary E. Brewer, et al. v. Merck & Co., Inc.	05-5429
TXW 1 05-689	Min Han, et al. v. Merck & Co., Inc.	05-5430
TXW 1 05-690	Joseph Murray, etc. v. Merck & Co., Inc.	05-5431
TXW 1 05-691	Clyde Crooks, Jr., et al. v. Merck & Co., Inc.	05-5432
TXW 1 05-744	Oscar Williams, et al. v. Merck & Co., Inc.	05-5433
TXW 1 05-745	Jane M. Thompson v. Merck & Co., Inc.	05-5434

UTAH

UT 2 05-724	Torgunn Rawle, et al. v. Merck & Co., Inc.	05-5435
UT 2 05-731	Merrill Adair, et al. v. Merck & Co., Inc.	05-5436
UT 2 05-762	Bjorn Ablad, et al. v. Merck & Co., Inc.	05-5437

WISCONSIN WESTERN

WIW 3 05-438	James Petrasck v. Merck & Co., Inc.	05-5438
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WEST VIRGINIA SOUTHERN

WVS 2 05-748	Paula J. Goforth, etc. v. Merck & Co., Inc.	05-5439
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Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02659 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

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US DISTRICT COURT